

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UMIA INSURANCE, INC.,

Plaintiff,

vs.

ENRICO F. ARGUELLES,  
ARTHRITIS & OSTEOPOROSIS  
CENTER PC, DONNA FRYER,  
BROOKLYN T. BLACK, BARBARA  
DAVISON, LORA SMITH, JULIE  
LORTZ and STEVE LORTZ,

Defendants.

CV 20-177-BLG-SPW-TJC

**ORDER**

On March 8, 2021, Plaintiff filed a Motion to Dismiss Counterclaims of Defendants Donna Fryer and Lora Smith pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). (Doc. 21.) On March 22, 2021, Plaintiff filed a Stipulation to Dismiss Defendant Fryer. (Doc. 25.) Plaintiff's claims against Fryer were dismissed with prejudice and Fryer's counterclaims were dismissed without prejudice. (Doc. 26.) On December 6, 2021, Plaintiff's filed a Stipulation to Dismiss Defendant Smith. (Doc. 60.) Plaintiff's claims against Smith and Smith's counterclaims were dismissed with prejudice. (Doc. 61.)

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Accordingly, Defendant's Motion to Dismiss (Doc. 21) is **DENIED as moot**.

DATED this 15th day of December, 2021.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge